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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**JEANNE LASHAE TURNER  
A.K.A. JEANNE LASHAE BATES  
117 Biddle Lane  
Henagar, AL 35978  
and  
3707 S Broad St Apt 204  
Scottsboro, AL 35769**

**Registered Nurse License No. 618153**

RESPONDENT

Case No. 2013-138

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

**FINDINGS OF FACT**

1. On or about August 24, 2012, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2013-138 against Jeanne Lashae Turner, aka Jeanne Lashe Bates (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)
2. On or about May 5, 2003, the Board of Registered Nursing (Board) issued Registered Nurse License No. 618153 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and expired on September 30, 2006 and has not been renewed.
3. On or about August 24, 2012, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2013-138, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and Title 16, California Code of Regulation, section 1409.1, is required to be reported and maintained with the Board, which was and is:

1 117 Biddle Lane

2 Henagar, AL 35978.

3 Respondent was also served to 3707 S Broad St, Apt 204, Scottsboro, AL 35769 which was  
4 retrieved from respondent's discipline documents from Alabama Board of Nursing.

5 4. Service of the Accusation was effective as a matter of law under the provisions of  
6 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
7 124.

8 5. On or about September 4, 2012, September 10, 2012, September 11, 2012 and  
9 September 13, 2012, the aforementioned documents were returned by the U.S. Postal Service,  
10 marked "Return to Sender, Unable to Forward" and "Not Deliverable as Addressed, Unable to  
11 Forward." The address on the documents was the same as the address on file with the Board.  
12 Respondent failed to maintain an updated address with the Board and the Board has made  
13 attempts to serve the Respondent at the address on file. Respondent has not made herself  
14 available for service and therefore, has not availed herself of her right to file a notice of defense  
15 and appear at hearing.

16 6. Business and Professions Code section 2764 states:

17 The lapsing or suspension of a license by operation of law or by order or decision of  
18 the board or a court of law, or the voluntary surrender of a license by a licensee shall not deprive  
19 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding  
20 against such license, or to render a decision suspending or revoking such license.

21 7. Government Code section 11506 states, in pertinent part:

22 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
23 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation  
24 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's  
25 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

26 8. Respondent failed to file a Notice of Defense within 15 days after service of  
27 the Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation  
28 No. 2013-138.

1           9. California Government Code section 11520 states, in pertinent part:

2           (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
3 agency may take action based upon the respondent's express admissions or upon other evidence  
4 and affidavits may be used as evidence without any notice to respondent.

5           10. Pursuant to its authority under Government Code section 11520, the Board after  
6 having reviewed the proof of service dated August 24, 2012, signed by Kami Pratab, and the  
7 returned envelopes finds Respondent is in default. The Board will take action without further  
8 hearing and, based on Accusation No. 2013-138 and the documents contained in Default Decision  
9 Investigatory Evidence Packet in this matter which includes:

10           Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation No. 2013-138,  
11                       Statement to Respondent, Notice of Defense (two blank copies), Request  
12                       for Discovery and Discovery Statutes (Government Code sections  
13                       11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail  
14                       receipt or copy of returned mail envelopes;

15           Exhibit 2: License History Certification for Jeanne Lashae Turner, aka Jeanne  
16                       Lashae Bates, Registered Nurse License No. 618153;

17           Exhibit 3: Out of State Discipline (Alabama and Tennessee Board of Nursing);

18           Exhibit 4: Affidavit of Kami Pratab;

19           Exhibit 5: Declaration of costs by Office of the Attorney General for prosecution of  
20                       Case No. 2013-138

21           The Board finds that the charges and allegations in Accusation No. 2013-138 are separately and  
22           severally true and correct by clear and convincing evidence.

23           11. Taking official notice of Certification of Board Costs and the Declaration of Costs by  
24           the Office of the Attorney General contained in the Default Decision Investigatory Evidence  
25           Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that  
26           the reasonable costs for Investigation and Enforcement in connection with the Accusation are  
27           \$817.50 as of October 15, 2012.

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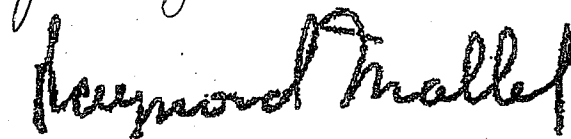
**ORDER**

IT IS SO ORDERED that Registered Nurse License No. 618153, heretofore issued to Respondent Jeanne Lashae Turner, aka Jeanne Lashae Bates is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on February 15, 2013.

It is so ORDERED January 16, 2013



Board of Registered Nursing  
Department of Consumer Affairs  
State of California

Attachment:

Exhibit A: Accusation No. 2013-138

# Exhibit A

Accusation No. 2013-138

1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 LESLIE E. BRAST  
Deputy Attorney General  
4 State Bar No. 203296  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 703-5548  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*

7  
8 LYDIA ZANE, Senior Legal Analyst  
Telephone: (415) 703-5573  
9 Facsimile: (415) 703-5480

10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2013-138**

13 **JEANNE LASHAE TURNER**  
14 **a.k.a. JEANNE LASHAE BATES**  
15 **117 Biddle lane**  
**Henagar, AL 35978**  
16 **Registered Nurse License No. 618153**

**ACCUSATION**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant), brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about May 5, 2003, the Board of Registered Nursing issued Registered Nurse  
24 License Number 618153 to Jeanne Lashae Turner, a.k.a. Jeanne Lashae Bates (Respondent). The  
25 Registered Nurse License expired on September 30, 2006, and has not been renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board of Registered Nursing (Board),  
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code unless otherwise indicated.

2 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
3 that the Board may discipline any licensee, including a licensee holding a temporary or an  
4 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
5 Nursing Practice Act.

6 5. Section 2764 of the Code provides that the expiration of a license shall not deprive  
7 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to  
8 render a decision imposing discipline on the license.

#### 9 STATUTORY PROVISIONS

10 6. Section 2761 of the Code states: "the board may take disciplinary action against a  
11 certified or licensed nurse or deny an application for a certificate or license for any of the  
12 following:

13 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

14 ...

15 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
16 against a health care professional license or certificate by another state or territory of the United  
17 States, by any other government agency, or by another California health care professional  
18 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
19 action."

#### 20 COST RECOVERY

21 7. Code section 125.3 provides, in pertinent part, that the Board may request the  
22 administrative law judge to direct a licentiate found to have committed a violation or violations of  
23 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
24 enforcement of the case.

#### 25 CAUSE FOR DISCIPLINE

26 (Unprofessional Conduct - Out of State Discipline)  
(Bus. & Prof. Section 2761, subd. (a)(4))

27 8. Respondent is subject to disciplinary action under Code section 2761, subdivision  
28 (a)(4), for revocation of her nursing license by another state in that on or about June 2, 2010, the



1 Tennessee Board of Nursing (Tennessee Board), issued a Final Order revoking Respondent's  
2 Registered Nurse License Number 130053 pursuant to Tennessee Code Annotated Section 63-7-  
3 115(a)(1), and Rule 1000-1-.13(1) of the Compilation of Rules and Regulations of the State of  
4 Tennessee. The revocation was based on Respondent's voluntary surrender, and subsequent  
5 revocation of her license to practice nursing in the State of Alabama on August 20, 2009. The  
6 circumstances of the surrender are as follows:

7 9. On or about November 2007, Respondent entered into a Voluntary Disciplinary  
8 Alternative Program Agreement (agreement) with the Alabama Board of Nursing as a result of  
9 drug dependency. Respondent violated the terms and conditions of the agreement in that she  
10 subsequently tested positive for morphine in a random drug screen without having a valid  
11 prescription for the medication.

12 PRAYER

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
14 and that following the hearing, the Board of Registered Nursing issue a decision:

- 15 1. Revoking or suspending Registered Nurse License Number 618153, issued to Jeanne  
16 Lashae Turner, a.k.a. Jeanne Lashae Bates, (Respondent);
- 17 2. Ordering Respondent to pay the Board of Registered Nursing the reasonable costs of  
18 investigation and enforcement of this case, pursuant to Business and Professions Code section  
19 125.3;
- 20 3. Taking such other and further action as deemed necessary and proper.

21  
22  
23 DATED: August 24, 2012

Louise R. Bailey  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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